UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
NO. 3:97CR40-002

UNITED STATES, Plaintiff, v. ALOMIA-TORRES, Defendant.	)	ORDER

Defendant moves the Court to reconsider this Court's holding that Amendment 782 of the United States Sentencing Guidelines does not affect his Guideline's calculation (Doc. No. 578).

Because Defendant's original offense level was 46, which is above the maximum offense level of 43, if Defendant were awarded the Amendment's two offense level reduction, he would still have an offense level of 44, which is still above the maximum offense level of 43. Thus he does not benefit from Amendment 782.

Defendant's motion for reconsideration is DENIED.

Signed: March 4, 2016

Frank D. Whitney
Chief United States District Judge